

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

**Spencer Dimura**

Plaintiff(s)

vs.

**CASE NUMBER: 5:22-cv-937 (ML)**

**Commissioner of Social Security**


Defendant(s)

**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: CONSENT ORDER TO REMAND PURSUANT TO OF SOCIAL SECURITY, SENTENCE 4 OF 42 U.S.C. § 405(g). ORDERED that the final decision of the Commissioner be and hereby is REVERSED, and the matter is REMANDED to the Defendant for this further administrative action, and it is further ORDERED that the within matter, be and hereby is, DISMISSED in accord with the decision in *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

All of the above pursuant to the order of the Honorable Miroslav Lovric, dated the 30<sup>th</sup> day of January, 2023.

DATED: January 31, 2023

  
Clerk of Court

s/Kathy Rogers  
Deputy Clerk